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Attorneys for Debtor(s)

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION**

**In re:**

**MICHAEL LAWRENCE MERRICK,  
JEANNE MARIE MERRICK**

**Debtor**

**Chapter 13**

**Case No. 10-48978-RLE-13**

**NOTICE OF MOTION TO VALUE  
SECURITY, DETERMINE STATUS OF  
CLAIM AND DECLARE VOID LIEN**

**TO: CITIBANK, N.A.**

**NOTICE IS HEREBY GIVEN** that pursuant to 11 U.S.C. section 506(a) and Rule 3012 of the Federal Rules of Bankruptcy Procedure, the Debtors request the court to value the property described in the Motion to Value Security, Determine Status of Claim and Declare Void Lien, determine the status of creditor, Citibank, N.A.'s, claim and upon discharge of the chapter 13 case, declare void the 2<sup>nd</sup> deed of trust, recorded with the Recorders office of Alameda County on March 9, 2006 as **Instrument #2006088896** in favor of Citibank, N.A., in the amount of \$72,586.63.

**NOTICE IS FURTHER GIVEN** that Bankruptcy Local Rule 9014-1 of the United States Bankruptcy Court for the Northern District of California prescribes the procedures to be

1 followed and that any objection to the requested relief, or a request for hearing on the matter,  
2 must be filed and served upon the initiating party within 21 days of mailing of the notice; that a  
3 request for hearing or objection must be accompanied by any declarations or memoranda of law  
4 the party objecting or requesting wishes to present in support of its position; that if there is not a  
5 timely objection to the requested relief or a request for hearing, the Court may enter an order  
6 granting the relief by default; and that the initiating party will give at least 10 days written notice  
7 of hearing to the objecting or requesting party, and to any trustee or committee appointed in the  
8 case, in the event an objection or request for hearing is timely made.

9  
10 Dated: October 4, 2010

\_\_\_\_\_/s/ M. Colby Freeman\_\_\_\_\_  
M. COLBY FREEMAN  
Attorney for Debtor(s)